



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Attorney Docket No. A-70036/RMS/JJD

In re application of:

Todd M. Kinsella

Serial No.: 09/712,821

Filed: November 13, 2000

For: METHODS AND COMPOSITIONS  
FOR SCREENING USING DIPHTHERIA  
TOXIN CONSTRUCTS

Examiner: Unknown

Group Art Unit: 1645

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner of Patent and Trademarks, Washington, D.C. 20231 on:

Date June 8, 2001

Signature Monica Carlos  
MONICA E. CARLOS

RESPONSE TO NOTICE TO FILE MISSING PARTS

BOX MISSING PARTS  
Assistant Commissioner of Patent  
and Trademarks  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed April 10, 2001, enclosed are the following:

- (1) A copy of the Notice to File Missing Parts of Nonprovisional Application;
- (2) Declaration for Patent Application;
- (3) Power of Attorney by Assignee;
- (4) Preliminary Amendment Re: Sequence Listing;
- (5) Disk copy of Sequence Listing;
- (6) Check for \$460.00 for the filing fee and surcharge for filing the Declaration on a date later than the filing date (\$395.00/filing fee and \$65.00/surcharge; and
- (7) Return Postcard.

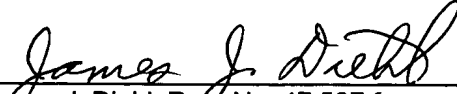
The Assignment is being forwarded to the Assignment Branch.

The Assistant Commission is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account 06-1300 (Our Order No. A-70036/RMS/JJD).

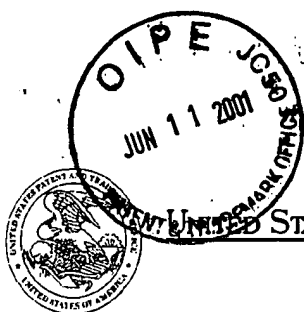
Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

Date: June 8, 2001

  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/712,821	11/13/2000	Todd Kinsella	A-70036/DJB/RMS/JJD

CONFIRMATION NO. 9149

## FORMALITIES LETTER



\*OC000000005954621\*

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Four Embarcadero Center-Suite 3400  
San Francisco, CA 94111-4187

Date Mailed: 04/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$80.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 920.**
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
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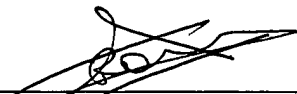
06/13/2001 61EPTERA 00000043 09712821

01 FC:201  
02 FC:205  
03 FC:202

355.00 OP  
65.00 OP  
40.00 OP

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*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, appearing to be "J. Smith", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE